

FILED

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ALABAMA
EASTERN DIVISION

00 MAR 30 AM 8:10

DANNY LANIER MITCHELL,)
vs.) CV 98-PT-1443-E
SHERIFF RALPH TOLAND,)
Defendant.)

U.S. DISTRICT COURT
N.D. OF ALABAMA

ENTERED
[Signature]
MAR 30 2000

MEMORANDUM OF OPINION

The magistrate judge filed his findings and recommendation on March 14, 2000, recommending that this action filed pursuant to 42 U.S.C. § 1983 be dismissed due to plaintiff's failure to exhaust his administrative remedies as required under 42 U.S.C. § 1997e(a). Alternatively the magistrate judge recommended that summary judgment be GRANTED due to plaintiff's failure to allege a personal injury and on the merits of his inadequate medical treatment claim. No objections have been filed.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the findings and recommendations, the Court is of the opinion that the magistrate judge's findings are due to be and are hereby ADOPTED and the recommendations are ACCEPTED. A Final Judgment will be entered.

DATED this 30 day of March, 2000.

[Signature]
ROBERT B. PROPST
UNITED STATES DISTRICT JUDGE

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